

JOURNAL OF THE HOUSE.

Thursday, September 16, 2004.

Met at five minutes past eleven o'clock A.M., in an Informal Session, with Mr. Hall of Westford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, we believe in You, Our Creator and place our trust in You, Our Protector. We also believe that we all live each moment of the day in Your presence as members of the one human family. Today the Jewish Community observes and celebrates Rosh Hashanah, the beginning of a new year. This religious observance is a moment for personal spiritual reflection, repentance and personal decision making. We join our Jewish associates, neighbors and friends in praying for a year of peace, good health, personal happiness and success.

Prayer.

Grant Your blessings to the Speaker, the members of this House and their families. Amen.

At the request of the Chair (Mr. Hall), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the charter of the city of Lawrence [see House, No. 4959] (for message, see House, No. 5078) was filed in the office of the Clerk on Wednesday, September 15.

Lawrence,
charter.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Torrisi of North Andover, to the committee on Bills in the Third Reading.

Appointments to an Advisory Committee.

The Speaker announced the appointment (under Section 344 of Chapter 149 of the Acts of 2004) of Representatives Golden of Boston, Haddad of Somerset (designated as committee co-chair), LeDuc of Marlborough, St. Fleur of Boston and Wolf of Cambridge to the Advisory Committee on Early Education and Care.

Early
education
advisors.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Michael Philip
Dorn.

Peter W.
Deftos.

Daniel J.
McCabe.

Leroy
Attles.

Resolutions (filed by Mr. Driscoll of Braintree) on the retirement of State Trooper Michael Philip Dorn;

Resolutions (filed by Mr. Hynes of Marshfield) congratulating Peter W. Deftos on the occasion of his retirement;

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Daniel J. McCabe on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Ms. Wolf of Cambridge) honoring Reverend Dr. Leroy Attles;

Mrs. Harkins of Needham, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mrs. Paulsen of Belmont, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Paper from the Senate.

The following notice was received from the Clerk of the Senate, to wit:

September 15, 2004.

Mr. Steven T. James
Clerk of the House of Representatives
State House — Room 145
Boston, MA 02133

Dear Mr. Clerk:

Senate
appointments.

Please be advised that the Senate President, pursuant to Chapter 196 of the Acts of 2004, has appointed the following people to the special transportation finance commission to develop a comprehensive, multi-modal, long-range, transportation finance plan for the Commonwealth:

Mr. Gary Shephard —

Administrator, Pioneer Valley Transit Authority

Mr. James Aloisi —

Attorney, Goulston & Storrs

Mr. Chris Vincze —

Senior Vice President & National Practice Leader, Marsh.

Respectfully,

MICHAEL D. HURLEY,
Assistant Clerk, Acting Clerk.

Reports of Committees.

John
Silber.

By Mr. Golden of Boston, for the committee on Education, Arts and Humanities, on House, No. 5046, a Bill relative to the founders of Boston University (House, No. 5079). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Honan of Boston, for the committee on Housing and Urban Development, on a petition, a Bill authorizing the town of Westport to develop and maintain a subsidized housing plan for low and moderate income housing (House, No. 5050) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Westport,
housing.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Donato of Medford, the bill was read a second time forthwith; and it was ordered to a third reading.

Report of the committee on State Administration, ought NOT to pass (under Joint Rule 10), on a message from His Excellency the Governor recommending legislation relative to providing for the construction of a special facility for the Department of Youth Services (accompanied by bill, House, No. 5029).

Youth
Services,
Westborough
facility.

Under suspension of the rules, on motion of Mr. Lepper of Attleboro, the report was considered forthwith.

Pending the question on acceptance of the report, the same member moved that it be amended by substitution of a Bill authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to transfer certain land and grant easements at the Westborough State Hospital for the construction of a specialized facility for the Department of Youth Services (House, No. 5080), which was read.

The amendment was adopted; and the substituted bill was referred, under Rule 33, to the committee on Ways and Means.

Emergency Measure.

The engrossed Bill providing for the annual observance of World War II Commemoration Day (see House, No. 1201), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

World
War II,
Commemoration
Day.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

The engrossed Bill authorizing the Board of Selectmen of Acton to lease a certain parcel of land (see Senate, No. 1981, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Bill
enacted.

Mr. Donato of Medford being in the Chair,— the engrossed Bill providing for an early retirement incentive program for the city of Medford (see House, No. 4961, changed) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Municipalities,
real estate
sale.

Mr. Hall of Westford having returned to the Chair,— the engrossed Bill relative to the use of certain funds by municipalities (see House, No. 4184, changed and amended) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) (for message, see House, No. 5066), was considered.

The amendment recommended by His Excellency the Governor then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

By striking out section 2 and inserting in place thereof the following section:

“SECTION 2. This act shall become inoperative on July 1, 2006.”.

Sent to the Senate for concurrence.

Third
reading
bills.

House bills

Providing creditable service to certain research faculty funded by research institutions and foundations under agreement with the University of Massachusetts (House, No. 2873) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Pembroke to borrow certain sums of money (House, No. 4814); and

Relative to the terms of certain bonds of the city of Revere to be issued to finance the construction of a public safety facility (House, No. 4964);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. Finneran of Boston,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Ms. Fox of Boston then moved that when the House adjourns, it do so as a mark of respect to the memory of Vincent F. Cronin, a member of the House from Boston in 1951 and 1952; and the motion prevailed.

Accordingly, at twenty-two minutes after eleven o'clock A.M., on motion of Mr. Rushing of Boston (Mr. Hall of Westford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.